

Message Text

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E.O. 11652: N/A

TAGS: ETRD, HA

SUBJECT: TEXTILES -- ARTICLE 3 ACTION AGAINST HAITI

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GENEVA FOR PHELAN

1. IN MEETING YESTERDAY AFTERNOON COMMITTEE FOR IM-

PLEMENTATION OF TEXTILE AGREEMENTS DECIDED TO REQUEST CONSULTATION WITH GOH UNDER ARTICLE 3 OF THE MFA WITH A VIEW TOWARD ELIMINATING MARKET DISRUPTION OR THREAT THEREOF IN THE UNITED STATES PRESENTLY BEING CAUSED BY IMPORTS OF CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS FROM HAITI. THEREFORE, EMBASSY IS INSTRUCTED TO DELIVER THE FOLLOWING NOTE (WITH ANNEXES) TO THE MINISTRY OF FOREIGN AFFAIRS AS SOON AS POSSIBLE, AND IN NO CASE LATER THAN COB ON FEBRUARY 27:

THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF FOREIGN AFFAIRS AND HAS THE HONOR TO REFER TO THE ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES DONT AT GENEVA ON DECEMBER 20, 1973, HEREAFTER REFERRED TO AS THE "ARRANGEMENT" AND, SPECIFICALLY, TO THE MARKET DISRUPTION AND EQUITY PROVISIONS OF ARTICLE 3.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA HAS NOTED WITH CONCERN THE IMPORTS FROM HAITI IN MAN-MADE FIBER TEXTILE CATEGORY 214 (GLOVES AND MITTENS), MAN-MADE FIBER TEXTILE CATEGORY 279 (KNIT SHIRTS INCLUDING BLOUSES), MAN-MADE FIBER TEXTILE CATEGORY 228 (WOVEN BLOUSES), AND MAN-MADE FIBER TEXTILE CATEGORY 229 (WOVEN COATS). TOTAL EXPORTS TO THE UNITED STATES FROM ALL SUPPLIERS HAVE CAUSED MARKET DISRUPTION OR THE THREAT THEREOF IN THESE CATEGORIES.

IN RECOGNITION OF THE FACT THAT LOW-PRICED IMPORTS OF THE CATEGORIES OF PRODUCTS INDICATED ABOVE FROM A NUMBER OF SOURCES HAVE CAUSED OR THREATEN TO CAUSE MARKET DISRUPTION IN THE UNITED STATES, SEVEN EXPORTING COUNTRIES WHICH HAVE ACCEPTED OR ACCEDED TO THE ARRANGEMENT HAVE AGREED TO LIMIT THEIR EXPORTS OF THESE CATEGORIES OF PRODUCTS TO LIMITED OFFICIAL USE

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THE UNITED STATES. THEREFORE, IN ORDER TO AVOID FURTHER MARKET DISRUPTION OR THE THREAT THEREOF BY IMPORTS OF THE PRODUCTS INDICATED ABOVE AND TO INSURE EQUITABLE TREATMENT TO THOSE COUNTRIES PARTY TO THE ARRANGEMENT WHICH ARE PRESENTLY LIMITING EXPORTS IN THESE CATEGORIES TO THE UNITED STATES, THE GOVERNMENT OF THE UNITED STATES OF AMERICA IS, AS OF THE DATE OF THIS NOTE, INVOKING ITS RIGHTS UNDER ARTICLE 3 OF THE ARRANGEMENT AND, PURSUANT

TO THE PROVISIONS OF PARAGRAPH 3 OF THAT ARTICLE, REQUESTING THE GOVERNMENT OF HAITI TO ENTER PROMPTLY INTO CONSULTATIONS WITH A VIEW TO REMOVING THE DISRUPTION. FURTHER, IN CONFORMITY WITH THE PROVISION OF PARAGRAPH 3 OF ARTICLE 3 OF THE ARRANGEMENT, THERE IS APPENDED, AS ANNEX A, WHICH IS TO BE REGARDED AS AN INTEGRAL PART OF THIS NOTE, A FACTUAL STATEMENT DESCRIBING MARKET CONDITIONS, THE EFFECT OF SUCH IMPORTS ON THE UNITED STATES MARKET AND THE RECENT TRENDS IN SUCH IMPORTS FROM HAITI, AND AS ANNEX B, ALSO TO BE REGARDED AS AN INTEGRAL PART OF THIS NOTE, A TABLE OF IMPORT AND DOMESTIC PRICE DATA.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONSIDERS THE NEGOTIATION OF A MUTUALLY SATISFACTORY ALL-FIBER BILATERAL TEXTILE AGREEMENT UNDER THE PROVISIONS OF ARTICLE 4 OF THE ARRANGEMENT AS THE MOST DESIRABLE SOLUTION TO THE PROBLEM OF MARKET DISRUPTION AND TO THE EQUITY OBLIGATIONS OF THE UNITED STATES WITH RESPECT TO ITS RESTRAINED SUPPLIERS. ACCORDINGLY, THE UNITED STATES GOVERNMENT DEEPLY REGRETS THAT THE GOVERNMENT OF HAITI DID NOT FORMALIZE THE COMPREHENSIVE COTTON, WOOL AND MAN-MADE FIBER AD REFERENDUM AGREEMENT INITIALED BY REPRESENTATIVES

OF THE UNITED STATES AND HAITIAN GOVERNMENTS IN PORT-AU-PRINCE ON SEPTEMBER 28, 1974. SHOULD THE GOVERNMENT OF HAITI WISH TO CONSULT FURTHER WITH THE GOVERNMENT OF THE UNITED STATES OF AMERICA, IT IS HOPED THAT SUCH CONSULTATIONS WOULD BE SUCCESSFUL IN REACHING AGREEMENT TO REPLACE THE ACTIONS UNDER ARTICLE 3.

IN LIGHT OF THE SPECIAL CIRCUMSTANCES INVOLVED IN THE UNITED STATES INVOKING ITS RIGHTS UNDER ARTICLE 3 OF THE LIMITED OFFICIAL USE

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ARRANGEMENT, THE UNITED STATES BELIEVES THAT EXPORTS FROM HAITI TO THE UNITED STATES IN THE CATEGORIES INDICATED ABOVE SHOULD BE LIMITED TO THE LEVELS PRESCRIBED BY ANNEX B OF THE ARRANGEMENT.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA, IN ACCORDANCE WITH ARTICLE 3.3. OF THE ARRANGEMENT, HAS FORWARDED A COPY OF THIS NOTE AND ITS ANNEXES TO THE CHAIRMAN OF THE TEXTILES SURVEILLANCE BODY IN GENEVA.

THE EMBASSY OF THE UNITED STATES OF AMERICA....ETC.

2. ANNEXES A AND B BEING POUCHED VIA UNCLASSIFIED POUCH FEBRUARY 24 AND SHOULD BE ATTACHED TO NOTE AT TIME OF DELIVERY.

3. ADVISE BY PRIORITY CABLE WHEN NOTE DELIVERED, INCLUDING INITIAL HAITIAN REACTION, IF ANY. FORWARD CERTIFIED COPIES OF NOTE TO DEPARTMENT (ATTN: ASSISTANT LEGAL ADVISOR, TREATY AFFAIRS)

4. IF COPIES OF ANNEXES A AND B TO NOTE HAVE NOT REACHED EMBASSY BY COB FEBRUARY 25, ADVISE DEPARTMENT IMMEDIATELY. KISSINGER

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